

CITY OF NEW YORK
CONFLICTS OF INTEREST BOARD

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September 27, 2012

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*Director of Information
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VIA FIRST CLASS MAIL

Melissa Dean

Re: COIB Case No. 2012-127

Dear Ms. Dean:

It has come to the attention of the New York City Conflicts of Interest Board ("the Board") that you violated the City of New York's conflicts of interest law, contained in Chapter 68 of the New York City Charter ("Chapter 68") and the Rules of the Board. Your violations, described below, occurred while you were employed by the New York City Department of Education ("DOE"). You resigned your DOE position on June 30, 2012.

The Board has been advised that, in December 2011, while you were employed by DOE as a Teacher at Public School 143 in Queens, you instructed your students to draw Christmas cards, saying that you would send the cards to people who were going to be away from their families for the holiday. You instructed the students to write about themselves in their cards and to include their names on the cards. Following your instructions, your students produced approximately twenty-seven cards, which contained their names, either signed by the student or written by you, and, in two cases, their home addresses. You then mailed the cards to a friend who is a prisoner in the Groveland Correctional Facility in Sonoma, New York. You did not have permission from DOE or from the students' parents to disclose the students' names or addresses, nor was there any DOE purpose for sending the cards. Pursuant to Chancellor's Regulations No. A-820, the names and addresses of DOE students are confidential and not otherwise available to the public and may only be disclosed with prior written consent by the parent, guardian, or eligible student and only in limited circumstances, none of which apply here.

The City's conflicts of interest law prohibits public servants from making unauthorized disclosures of confidential information. Specifically,

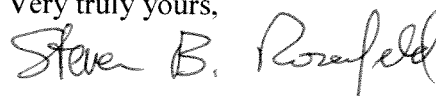
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City Charter § 2604(b)(4) provides that "No public servant shall disclose any confidential information concerning the property, affairs or government of the city which is obtained as a result of the official duties of such public servant and which is not otherwise available to the public, or use any such information to advance any direct or indirect financial or other private interest of the public servant or of any other person or firm associated with the public servant." By sending cards containing your students' names and home addresses to a person not authorized to know this personal information, you disclosed confidential information in violation of City Charter § 2604(b)(4).

While the Board has concluded that no further enforcement action is required in this matter under the particular circumstances presented here, it is issuing this public warning letter in order to provide guidance to other public servants in similar situations. This letter should be regarded as a formal reminder of the importance of strict compliance with the City's conflicts of interest law, contained in Chapter 68 of the Charter and the Board Rules. Precise compliance with these provisions avoids even the appearance of impropriety and helps to strengthen public confidence in City officials. Violators of the conflicts of interest law may be subject to enforcement proceedings, which can result in civil fines of up to \$25,000 per violation, disciplinary action, and other penalties provided in City Charter § 2606.

In the future, if you have any questions concerning the conflicts of interest law, please contact the Conflicts of Interest Board staff at (212) 442-1400.


Very truly yours,



Steven B Rosenfeld
Chair

I hereby waive any right I may have to confidentiality and agree that the Board may make this document public. I represent that I have entered into this agreement freely, knowingly, and intentionally without coercion or duress and that I have had a full opportunity to consult with counsel of my choice.



MELISSA DEAN

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